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No. 83-2093

In the Supreme Court of the United States

October Term, 1983

E. R. Squibb & Sons, Inc.,
Petitioner,

vs.

Office - Supreme Court, U.S.
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ALEXANDER L. STEVAS,
CLERK

Gail Abel, Randee Adler, Jo Ann Alexander, Joe G. Alexander, Dian Alpert, Diane Amorose, Joan Archie, Lori Arsenault, Dana Avrunin, Joyce Babcock, Susan Barenholtz, Lynne Bednowitz, Sharon Beeckler, Thomas F. Beeckler, Mirilyn Berg, Allen Berg, Merle A. Bernberg, Nancy Bernstein, Lisa Bovitz, Laurie Brandt, Doreen Braverman, Toni Beth Brenner, Karen Brodley, Helene Cheryl Brody, Jay Howard Brody, Karen Buell, Christine Bump, Michael H. Bump, Barbara F. Burmeister, Richard H. Burmeister, Christine Cloyd, Michael Cloyd, Robin Cohen, John Cohen, Donna Coppess, James Coppess, Laurie Dawson, Robert Dawson, Caroline DeMare, Suzanne Engelberg, Jeannette Evans, Ronald Evans, Lois Fulgenzi, Geraldine Ann Fuller, Sharon Gaines, Donald Gaines, Gayle Ginsburg, Karen B. Ginsburg, Linda Gislason, John Gislason, Sheila Glantz, Ellen Glovinsky, Lisa Glovinsky, Linda Goldenberg, Murray Goldenberg, Terri Goren, Wendy Goren, Amy Gorman, Caryn Green, Maureen Grenwald, Ivy Grossman, Patricia Hacht, Lori Ann Hanna, Jody Hayes, Eileen Heideman, Howard Heideman, Faith Ann Henderson, Larry Henderson, Audrey Herman, Helena Herman, Barbara Herzoff, Lois Hill, Sally Hoben, Debra Hooberman, Peggy Hooberman, Sheridan Hudson, Sherry Lynn Hunt, Rodney Hunt, Joyce Keller, Gail Frances Kelman, Rochelle Kramer, Sherrill Kurland, Diane P. Lenk, Richard M. Lenk, Lynne Levine, Jerold Levine, Lisa Levit, Sandra Lindrus, Elyse Madgy, Harriet Marcet, Mark Marcet, Marla Beth Matz, Susan Mayho, Deborah Mazer, Marc Mazer, Debra McCloskey, Jennifer McVean, Lori Mehler, Susan Mehler, Susan Meister, Thomas L. Meister, Beverly Metropoulos, Susan Miller, Marla Morochnick, Jacqueline Odom, Randall Odom, Francesca O'Grady, Patrick O'Grady, Donna Olsen, Richard Olsen, Debra L. Olshansky, Linda C. Patten, Joyce Paul, Barbara Pickens, Sheri L. Pickens, Jaye Pojanski, Frances Ellen Ross

(Cover Sheet Continued on Inside Cover Page)

Rassler, Richard Rassler, Barbara Respecki, Laura Ann Rose, Susan Rose, Gail Sampson, Wendy Schwartz, Linda Sciturre, Philip Sciturre, Crystal Gamble Scott, Walter Louis Scott, Andrea Sellers, Judith Share, Inez Shearer, Robert Shearer, Joan Sherman, Denise Shpargel, Cynthia Siefman, Sheila Silber, Cathy Silverman, Deborah Silverman, Lori Ann Simon, Valerie Skomra, Marie Smith, Paul Smith, Diane Smola, Susan Spevak, Debra Stasson, Catherine Stevens, Elyse Sutherland, Beverly Tapper, Andrea Tarnoff, Barbara Tarnoff, Cindy Tarnoff, Debra Tarnoff, Lynn Tarnoff, Marsha Lynn Tatarka, Andrea Tolle, Gerald Tolle, Lucette Ann Travers, Patricia H. Travers, Sharon Uherek, Frank Uherek, Jennifer Vandervennet, Ellen Victor, Karen Walkon, Clifford Walkon, Marylou Warnke, Robert Warnke, Susan Weider, Benjamin Weider, Naureen Weinger, Sharon Labelle Whiteman, Alan Whiteman, Deborah Wietecha, Anna Maria, Willson, Edie Lynn Wolk, Robert L. Wolk, Susan Yenofsky, Christine Zadow, Louis Zadow, Susan Zaff, Sheryl Zeiger, Harold Zeiger, Denise Zimmerman, Don L. Zimmerman, Eli Lilly Company, Abbott Laboratories, The Blue Line Chemical Company, Burroughs Wellcome Company, Central Pharmacal Company, Cole Pharmacal Company, Kremers-Urban Company, McNeil Laboratories, Inc., Merck, Sharpe & Dohme, Rexall Drug Company, William H. Rorer, Inc., S. J. Tutag & Co., Inc., Schering Corporation, Upjohn Company, and Vale Chemical Company,

Respondents.

**BRIEF IN SUPPORT FOR THE POSITION OF THE
PETITIONER FOR WRIT OF CERTIORARI TO THE
SUPREME COURT OF MICHIGAN**

DICE, SWEENEY, SULLIVAN, FEIKENS,
HURBIS & FOSTER, P.C.

JOSEPH LEVIN

(Counsel of Record)

1200 Buhl Building
Detroit, Michigan 48226
Phone: (313) 962-5909

Attorney for Respondent
S. J. Tutag & Co.

**BRIEF IN SUPPORT FOR THE POSITION OF THE
PETITIONER FOR WRIT OF CERTIORARI TO THE
SUPREME COURT OF MICHIGAN**

Now comes S. J. Tutag & Co., a Respondent in the above entitled cause and in accordance with the Supreme Court of the United States Rule 19.6 hereby supports the position of E. R. Squibb & Sons, Inc., Petitioner, as to the constitutional arguments involving the Fourteenth Amendment to the Constitution of the United States, the Statement of Facts, and the Legal Argument thereon.

Respectfully submitted,

DICE, SWEENEY, SULLIVAN, FEIKENS,
HURBIS & FOSTER, P.C.

By: JOSEPH LEVIN
(*Counsel of Record*)

1200 Buhl Building
Detroit, Michigan 48226
Phone: (313) 962-5909

Attorney for Respondent
S. J. Tutag & Co.

Dated: July 3, 1984